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1632



NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Dennis W. Metzger and Renee M. Buchanan

Serial No.: 09/924,896 Group: 1632

Filed: August 8, 2001 Examiner: Chen, Shin Lin

Confirmation No.: 3394

For: IL-12 Enhancement of Immune Responses to T-Independent Antigens

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>June 4, 2004</u> Date	<u>Jenine Crump</u> Signature
<u>Jenine Crump</u> Typed or printed name of person signing certificate	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 5, 2003 of the Examiner finally rejecting claims 8, 16, 20, 24 and 30-45. The item(s) checked below are appropriate:

1. ☒ Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated December 5, 2003 for three month(s) from March 5, 2004 to June 5, 2004.
2. ☐ A month extension of time to respond to the Office Action Made Final dated was filed on with payment of a \$ fee.
☐ Applicant hereby petitions for an additional month extension of time to respond to the Office Action Made Final.
3. ☐ A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

06/08/2004 EAREGAY1 00000036 09924896

950.00 0P
330.00 0P

01 FC:1253
02 FC:1401

4. Fees are submitted for the following:

<input checked="" type="checkbox"/>	Extension of Time for three month(s)	\$	950
<input type="checkbox"/>	Additional Extension of Time:		
	Fee for Extension ([] mo.)	\$	
	Less fee paid ([] mo.)	- \$	
	Balance of fee due	\$	0
<input checked="" type="checkbox"/>	Notice of Appeal	\$	330
<input type="checkbox"/>	Other	\$	
		TOTAL	\$ 1280

5. The method of payment for the total fees is as follows:

- ☒ A check in the amount of \$1,280.00 is enclosed.
- ☐ Please charge Deposit Account No. 08-0380 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

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Concord, MA 01742-9133

Date:

June 4, 2004